Notice of Allowability	Application No.	Applicant(s)	
	10/670,642	OPHEIM, GREG	
	Examiner	Art Unit	
	KimbleAnn Verdi	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Request for Continued Examination filed 6/15/2010*.

2. ☒ The allowed claim(s) is/are *1-4 and 7-20*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *0100719-A* .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 15, 2010 has been entered.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Jeffrey H. Canfield (Reg. No. 38,404) on August 23, 2010.

4. Amend the claims as follows:

1. (Currently Amended) A method of updating a host application running on a host system in a process plant, wherein the host system is connected to a plurality of process control devices used in the process plant, the method comprising:

receiving a first command at the host system from the host application requesting to communicate with a particular one of the plurality of process control devices;

sending a ~~first~~ second command from the host system to ~~a~~ the particular one of the plurality of process control devices to request a device description identification identifying a device description ~~associated with~~ for the particular one of the plurality of process control devices, wherein the device description identification includes ~~at least one of~~ a device identifier, a manufacturer ID, or a device revision for identifying the device description ~~associated with~~ for the particular one of the plurality of process control devices, and wherein the device description comprises data and operating procedures for the particular one of the plurality of process control devices, including ~~at least one of~~ variables, methods, commands, menus or display formats associated with one or more features of the particular one of the plurality of process control devices;

receiving the device description identification at the host system from the particular one of the plurality of process control device devices;

searching on the host system for the device description identified by the received device description identification;

downloading ~~a~~ the device description ~~associated with~~ identified by the received device description identification into the host system if the host system does not have the device description ~~associated with~~ identified by the received device description

identification, wherein downloading the device description includes: ~~using the device description identification~~

connecting the host system to a communication network;

requesting the device description identified by the received device description identification from a device description database connected to the communication network; and

receiving the device description from the device description database; and

updating the host application to include the data and operating procedures for the particular one of the plurality of process control devices, described in the device description identified by the received device description identification.

2. (Original) The method of claim 1, wherein downloading the device description includes downloading the device description from one of a CD-ROM, a diskette, and an online database.

3. (Original) The method of claim 1, wherein updating the host application includes copying the device description into the host application.

4. (Currently Amended) The method of claim 1, wherein the host system is a system in ~~a~~ the process plant ~~and the particular one of the plurality of devices is one of a plurality of process control devices used in the process plant~~.

5. (Cancelled).

6. (Cancelled).

7. (Currently Amended) The method of claim 1 ~~claim 6~~, wherein the device description database is one of a Fieldbus database, a Profibus database and a HART communication foundation database.

8. (Currently Amended) The method of claim 1 ~~claim 6~~, wherein downloading the device description includes storing an Internet address of the device description database and using one of an Internet communication protocol and a wireless communication protocol to connect to the device description database.

9. (Currently Amended) A method of providing a software update for a host application running on a host system, the method comprising:

storing a ~~first~~ device description identification identifying a device description on a process control device, the device description identification including ~~at least one of~~ a device identifier, a manufacturer ID, or a device revision, for identifying the device description, and the device description defining data and operating procedures for the process control device including ~~at least one of~~ variables, methods, commands, or menus of display formats associated with one or more features of the process control device;

receiving a first command at the host system from the host application requesting to communicate with the process control device;

sending a second command to the process control device to request the device description identification, wherein the device description is used to communicate with the process control device;

receiving the device description identification at the host system from the process control device;

determining if the host system includes the device description ~~using the device description identification~~ by searching on the host system for the device description identified by the received device description identification;

automatically downloading the device description identified by the received device description identification onto the host system if the host system does not have the device description, wherein automatically downloading the device description includes:

determining if the host system is connected to the internet;

initiating an Internet session if the host system is connected to the Internet; and

sending a request to a device description database connected to the Internet for downloading the device description identified by the received device description identification onto the host system; and

updating the host application with the data and operating procedures for the process control device described in the device description identified by the received device description identification.

10. (Previously Presented) The method of claim 9, further including storing the device description identification on the host system.

11. (Currently Amended) The method of claim 9, further including storing the device description identification~~, determining if the host system is connected to the internet, initiating an Internet session if the host system is connected to the Internet, and sending a request to a device description database connected to the Internet for downloading the device description onto the host system~~.

12. (Original) The method of claim 9, further including storing on the host system a list relating an identification of a device manufacturer to an Internet address of a device description database provided by the device manufacturer.

13. (Original) The method of claim 12, wherein the host application is one of (l) an asset management system application, (2) a plant simulation application, (3) a plant maintenance application, (4) a plant monitoring application, and (5) a process control application.

14. (Currently Amended) A computer system for updating a process control host application with a device description of a process control device, the device description comprising data and operating procedures for the process control device including ~~at least one of~~ variables, methods, commands, menus or display formats associated with one or more features of the process control device, the computer system being connected to a device description database via a communication network, the computer system comprising:

a processing unit;

a computer readable memory; and

a software routine stored on the computer readable memory and executable on the processing unit to:

receive a request to communicate with the process control device from the host application;

request a device description identification identifying a device description for the process control device from the process control device;

receive the device description identification related to the process control device from the process control device, the device description identification including ~~at least one of~~ a device identifier, a manufacturer ID, or a device revision, for identifying the device description;

searching on the computer system for the device description identified by the received device description identification;

download the device description identified by the received device description identification of the process control device from the device description database if the computer system does not have the device description ~~using the device description identification~~; and

update the host application with the data and operating procedures for the process control device described in the device description identified by the received device description identification.

15. (Previously Presented) The computer system of claim 14, wherein the software routine is further executable on the processing unit to download the device description using one of an Internet protocol and a wireless communication protocol.

16. (Previously Presented) The computer system of claim 14, wherein the software routine is further executable on the processing unit to identify a device description language source of the host application, interpret the device description into the device description language source and insert the device description into the host application.

17. (Original) The computer system of claim 14, wherein the host application is one of (I) an asset management system application, (2) a plant simulation application, (3) a plant maintenance application, (4) a plant monitoring application, and (5) a process control application.

18. (Previously Presented) The computer system of claim 14, wherein the software routine is further adapted to update a remote host application located on a remote computer communicatively connected to the computer system.

19. (Currently Amended) A computer system for use in a process plant having a plurality of process control devices and one or more process applications requiring communication with the plurality of process control devices, the computer system comprising:

a non-transitory computer readable medium on which computer instructions are stored, when executed by a computer processor the computer instructions providing:

a communication module ~~operable to request~~ receiving a request to communicate with one of the plurality of process control devices from one of the one or more process applications, and requesting a device description identification identifying a device description ~~associated with~~ for the one of the plurality of process control devices from the one of the plurality of process control devices, wherein the device description comprises data and operating procedures for the one of the plurality of process control devices including ~~at least one of~~ variables, methods, commands, menus or display formats associated with one or more features of the one of the plurality of process control devices;

a storage device ~~operable to receive~~ receiving the device description identification from the one of the plurality of process control device devices and ~~store~~ storing the device description identification, wherein the device description identification

includes ~~at least one of~~ a device identifier, a manufacturer ID, or a device revision, for identifying the device description;

a search module ~~operable to search~~ searching on the computer system for the device description identified by the received device description identification, and searching for a device description database storing the device description identified by the received device description identification;

a downloading module ~~operable to download~~ downloading ~~a~~ the device description identified by the received device description identification from the device description database if the computer system does not have the device description, wherein downloading the device description includes:

connecting the computer system to a communication network;

requesting the device description identified by the received device description identification from the device description database connected to the communication network; and

receiving the device description from the device description database; and

an updating module ~~operable to update~~ updating the one of the one or more process applications with the data and operating procedures for the one of the plurality of process control devices described in the device description identified by the received device description identification.

20. (Original) The computer system of claim 19, wherein the downloading module communicates with the device description database using the Internet protocol.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. U.S. Patent 5,923,557 to Eidson, U.S. Patent 2003/0061267 A1, and "Field Device Integration" by Neumann et al. disclose installing device specific information into a host system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KimbleAnn Verdi whose telephone number is (571)270-1654. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm EST.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hyung S. SOUGH/
Supervisory Patent Examiner, Art Unit 2194
08/30/10
August 23, 2010

KV